



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, WEDNESDAY, OCTOBER 27, 2021

No. 189

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, teach us the mystery of life. Help us not to be victims but victorious in this season of challenge and change.

Lord, lead us to a place of understanding in spite of trials and tribulations. Empower us to triumph because You love us. Today, instruct our lawmakers as they seek to do Your will. Inspire them to focus on the priorities of Your providence.

Lord, show them Your truth so that they will be instruments of Your purposes. Transform their lives from a hurried succession of days into a walk with You that brings enduring peace.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Vermont.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. SCHUMER. Mr. President, today, the Senate is going to continue focusing on confirming even more of President Biden's highly qualified nominees, both to serve in his administration and for lifetime appointments on the Federal bench.

Yesterday, we confirmed three more district judges through this Chamber, each with bipartisan support. We are going to continue today with two more nominees, and I hope we can see continued bipartisan cooperation.

In less than a year, Senate Democrats have worked swiftly and decisively to fill vacancies on the Federal bench with qualified, mainstream, and dedicated jurists. We are well on our way to making today's Federal bench the most diverse in a long, long time. Through September, at least three-quarters of President Biden's circuit-level nominees have been people of color.

Let me say that again because that makes me proud. Through September, at least three-quarters of President Biden's circuit-level nominees have been people of color.

Nearly a third of all of President Biden's nominees are former public defenders, and several of them have impressive backgrounds as civil rights lawyers, voting rights champions, and experience outside the well-trodden path of corporate law or Federal prosecution.

By focusing intentionally on confirming judges that bring both personal and professional experience to the judiciary, we are expanding the possibili-

ties of who merits consideration to the bench at all.

Judges, obviously, are an essential component of a healthy democracy. We will strengthen the public's trust in a fair, independent judiciary if the bench better reflects the rich diversity of this country, while adhering to the rule of law.

One confirmation at a time, Democrats are swiftly restoring balance to our courts, and we are full steam ahead to confirm more mainstream and qualified and diverse judges as they become available.

BUILD BACK BETTER PLAN

Mr. SCHUMER. Now, on Build Back Better, Mr. President. Yesterday was another productive day as we make progress towards finalizing President Biden's Build Back Better plan.

After another vigorous, spirited caucus lunch, meetings continue with Senate colleagues and members of the White House, as well as with the President. An agreement is within arm's length, and we are hopeful that we can come to a framework agreement by the end of today; but we must—we must—continue working a little more to make sure it is the best deal possible for the American people.

I am working especially hard to strengthen Medicare and make prescription drugs more affordable. Senator SANDERS has worked hard to push for many of these Medicare provisions, and I support them.

At its core, the goals of Build Back Better are about restoring the middle class in the 21st century; helping people who are in the middle class stay there; helping people who are struggling to get to the middle class to get there; and give more Americans the opportunity for good, fulfilling lives and better lives for their kids. And, of course, we must take bold action to tackle the climate crisis, which could overwhelm our globe all too quickly if we don't act.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7393

It is an agenda that favors not those at the very top, but everyday Americans who are struggling to achieve the American dream in the 21st century. Unfortunately, the past 20 years in America have been a story of middle-class decline. Even before COVID, the Federal Reserve estimated that over 40 percent of Americans in this day and age would still—still—have trouble covering an emergency expense of just \$400, which you can easily incur if you have to fix your car, make repairs at home, or visit a doctor.

A few decades ago, the story was very different. For much of the post-war era, most Americans had confidence that if you were willing to work hard, you could save a little and you could leave something behind for your loved ones. Nobody was guaranteed riches, but the basic bargain in America was that those who put in an honest day's work would be able to make ends meet.

Build Back Better is precisely—precisely—about rekindling that faith in the American dream. That is no easy task. Americans face serious, severe challenges today that did not exist in the past. Raising a family is more difficult than ever. The challenges of finding and affording childcare and pre-K have grown exponentially. Seniors are struggling to afford basic drug care and basic drugs.

These are not luxury items. These aren't handouts or entitlements. These are essentials. They are essentials that families need in order to work and get ahead, and they are oftentimes much, much harder to afford than they were in the past.

That is what we mean by providing ladders to the middle class and helping families stay in the middle class. That is what we mean by reviving that sunny American optimism, which this country has lost in the last few decades. We have got to get it back, and the only way we can get it back is by bold action that gives people renewed hope in their futures and the future of their children.

The work we do right now will echo far into the 21st century. This is the best opportunity we have had in a long time to make sure that the decades to come will offer the same—or even greater—opportunities that Americans enjoyed in the past.

And if Democrats keep working together, if we keep our eye on the ultimate goal, and we keep negotiating to find that legislative sweet spot, then we will succeed in rewarding the trust that the American people have placed on us.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

GOVERNMENT SPENDING

Mr. McCONNELL. Mr. President, in a few days, President Biden is set to gas

up Air Force One and jet to Scotland for a global conference about the climate. According to press coverage, the President's agenda is clear:

"Biden Wants to Show the World He's Serious About Cutting Emissions."

"Joe Biden gets real on climate change."

What we are talking about here is a meeting to review a plan that failed to get its own signatories to meet its unenforceable "commitments;" a deal that couldn't compel the world's largest carbon producer, China, to commit to any less than another 9 years of rising emissions before it starts—starts—to turn things around. This is a country with single companies that emit more carbon than nations the size of Canada. Let me say that again. China is a country with single companies that emit more carbon than nations the size of Canada. And all the while, the United States, from outside the deal, cut our emissions more than any major country inside the deal. We cut our emissions more outside the deal than any of the countries inside the deal.

The Biden administration is desperately chasing bad deals to win applause from foreign leaders. That is what this is about: signing the American people up for self-inflicted pain for no meaningful gain.

The only thing that is serious about President Biden's environmental agenda is the trouble that it is already causing right here at home. Our adversaries like Russia are salivating over big windfalls while working American families are already feeling the pain.

Remember, on day one, this administration put a freeze on crucial development of domestic energy and killed the Keystone XL Pipeline, along with over 1,000 jobs. Combined with Democrats' flood of inflationary spending, it is no wonder consumers are facing the highest prices at the pump in 7 years, the most expensive home heating forecast in more than 12 years, and soaring prices on the household goods that are costing U.S. manufacturers more to make.

Ah, but wait. There is more. When President Biden jets off to next week's summit, his fellow Democrats will be busy plotting yet another reckless taxing-and-spending spree that would compound the pain with more anti-energy policies. They want to create new taxes on the most affordable and reliable forms of American energy that would put producers out of business, workers out of jobs, and make home heating even pricier this winter. They want to put billions more into "environmental and social justice block grants," whatever that means. They want to subsidize the favorite products of blue State elites, like electric cars and even—listen to this—electric bicycles.

Democrats also want to pour billions of dollars into a made-up government work program they are calling the Ci-

vilian Climate Corps—Civilian Climate Corps. This is pure socialist wish-fulfillment. We already have a worker shortage and record numbers of open jobs, but Democrats want taxpayers to put aside \$8 billion for make-work programs for young, liberal activists that they admit "[wouldn't] measurably reduce emissions."

Under their latest batch of proposed regulations, States that fail to keep pace with heavyhanded emissions targets would face "consequences"—consequences like freezes on funds for major transportation projects that employ lots of American workers. They want to bully every State to become more and more like California.

Washington Democrats are plowing ahead with all this precisely as the Ghost of Christmas Future is providing us with a cautionary tale from across the Atlantic. All across Europe, natural gas prices have jumped 400 percent since the start of the year. Countries are scrambling to rediscover and reactivate the reliable systems they had left behind to follow the latest fads.

Thanks in part to the Biden administration's own inaction, Putin's Russia has turned his controlling share of European gas production into a political weapon.

But instead of heeding this cautionary tale, President Biden seems to want to follow suit. His regulations have squandered the energy independence we enjoyed before he took office. U.S. imports of Russian oil have doubled. As gas prices soar, his administration is reportedly—listen to this—asking OPEC to cut us some slack.

As one academic summed it up, "Biden policy promotes a multiyear, multitrillion-dollar windfall" for adversaries—you heard it—like Russia.

To raise energy prices while enabling Moscow to tighten its grip over Europe's energy supply is to turbocharge a Russian regime that was staggering and showing its age.

Pain for the American people. Pay-offs for our adversaries so that President Biden can receive cheers from the crowd in Glasgow. Small comfort for his own citizens.

Energy policy isn't the only place where the Biden administration's decisions are hurting Americans. The President's retreat from Afghanistan continues to have dangerous and disastrous consequences. Yesterday, one Pentagon official gave Senators a new estimate of how many Americans the administration has left behind. The count Secretary Austin claimed last month—last month—was less than 100. That has now risen to 450 Americans left behind enemy lines. The Biden administration spent weeks insisting they only left about 100 Americans behind in Afghanistan when the truth was multiple times that. The administration has also continued to fail to keep its promises to brave Afghan allies.

Meanwhile, as many warned, the terrorist threat is growing in the wake of our retreat. The same Pentagon official